

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Lawrence Binder et al.	Examiner:	Unknown
Serial No.:	10/826,285	Group Art Unit:	3732
Filed:	April 19, 2004	Docket:	0218.007.0002
Conf. No.:	9932	Customer No.:	43446
Title:	Bone Fixation Plate		

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the referenced materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Forms PTO/SB/08 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the Forms PTO/SB/08, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicants believe that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicants have not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicants respectfully request that notice of such requirement be directed to Applicants' below-signed representative.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/826,285

Filing Date: April 19, 2004

Title: Bone Fixation Plate

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Dkt: 0218.007.0002

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 50-3120 to have this Information Disclosure Statement considered. The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

Date: August 7, 2006

Castellano Malm Ferrario & Buck PLLC

Customer Number: **43446**

Telephone: (202) 478-5300

Facsimile: (202) 318-1288

By



Kristina M. Castellano  
Registration No. 41,092

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Substitute for form 1445 PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/826,285
Filing Date	April 19, 2004
First Named Inventor	BINDER
Art Unit	3732
Examiner Name	Unknown
Attorney Docket Number	0218.007.0002

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> if known			
	US	5,135,210	08-04-1992	Michelson	
	US	5,151,103	09-29-1992	Synthes (U.S.A.)	
	US	5,250,061	10-05-1993	Michelson	
	US	5,364,399	11-15-1994	Danek Medical, Inc.	
	US	5,484,437	01-16-1996	Michelson	
	US	5,505,732	04-09-1996	Michelson	
	US	5,513,827	05-07-1996	Karin Technology, Inc.	
	US	5,522,899	06-04-1996	Sofamor Danek Properties, Inc.	
	US	5,549,612	08-27-1996	Codman & Shurtleff, Inc.	
	US	5,578,034	11-26-1996	Danek Medical, Inc.	
	US	5,626,266	05-06-1997	Michelson	
	US	5,653,713	08-05-1997	Michelson	
	US	5,662,300	09-02-1997	Michelson	
	US	5,735,853	04-07-1998	Olerud	
	US	5,776,199	07-07-1998	Sofamor Danek Properties	
	US	5,797,909	08-25-1998	Michelson	
	US	6,032,309	03-07-2000	Michelson	
	US	6,080,155	06-27-2000	Michelson	
	US	6,083,228	07-04-2000	Michelson	

## FOREIGN PATENT DOCUMENT

[illegible]

Examiner Signature	Date Considered
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EXAMINER: Indicate if reference considered, whether or not citation is in conformance with MPEP 909. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*\*See "Kind's Code of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*\*\*Errata Office that issued the document, by the two-letter code (WIPO Standard 3). \*For Japanese patent documents, this indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*\*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*\*\*Applicant is to place a check mark here if English language Translation is attached.

This information is confidential. The information requested by 37 CFR 1.97 and 1.98, the information is required to obtain or retain a benefit by the public which is a life (and by the public which is a benefit) of the applicant. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. The collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Use as many sheets as necessary.

Sheet 2 of 6

**Complete if Known**

Application Number	10/826,285
Filing Date	April 19, 2004
First Named Inventor	BINDER
Art Unit	3732
Examiner Name	Unknown
Attorney Docket Number	0218.007.0002

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.†	Document Number Number-Kind Code <sup>§</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Column, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,096,038	08-01-2000	Michelson	
		US-6,120,503	09-19-2000	Michelson	
		US-6,136,001	10-24-2000	Michelson	
		US-6,139,550	10-31-2000	Michelson	
		US-6,142,997	11-07-2000	Michelson	
		US-6,152,927	11-28-2000	SDGI Holdings, Inc.	
		US-6,159,214	12-12-2000	Michelson	
		US-6,190,388	02-20-2001	Michelson, et al.	
		US-6,193,721	02-27-2001	Michelson	
		US-6,200,320	03-13-2001	Michelson	
		US-6,210,412	04-03-2001	Michelson	
		US-6,241,770	06-05-2001	Michelson	
		US-6,257,459	07-10-2001	Michelson	
		US-6,269,974	08-07-2001	Michelson	
		US-6,270,498	08-07-2001	Michelson	
		US-6,299,030	10-09-2001	Michelson	
		US-6,306,139	10-23-2001	Scintix	
		US-6,318,602	11-20-2001	Michelson	
		US-6,350,283	2-26-2002	Michelson	

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Examiner Signature		Date Considered	
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\*EXAMINER Initial reference considered, whether or not citation is in conformance with MPPEP 806. Draw line through citation if not in conformance and not in compliance, include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional) is 8-Kinze Codes. USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPPEP 801.04. \*Note: Office that issued the document by its two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English language

This collection of information is required by 37 CFR 1.67 and 1.68. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Consideration is granted by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete. On the basis of this information, if you are submitting the completed application form to the USPTO, time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet	3	of	6
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Application Number	10/826,285
Filing Date	April 19, 2004
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Attorney Docket Number	0218.007.0002

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Examiner Initials*	Cite No	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant or Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number/Kind Code <sup>2</sup> (if present)			
	US	6,364,880	04-02-2002	Michelson	
	US	6,383,186	05-07-2002	Michelson	
	US	6,398,783	06-04-2002	Sulzer Spine-Tech Inc.	
	US	6,413,259	07-02-2002	Blackstone Medical, Inc	
	US	6,416,528	07-09-2002	Michelson	
	US	6,428,542	08-06-2002	Michelson	
	US	6,436,098	08-20-2002	Sofamor Danek Holdings, Inc.	
	US	6,440,139	08-27-2002	Michelson	
	US	6,447,547	09-20-2002	Sofamor Danek Group, Inc.	
	US	6,454,769	09-24-2002	Spinal Concepts, Inc.	
	US	6,454,771	09-24-2002	Michelson	
	US	6,478,823	11-12-2002	Sofamor Danek Holdings, Inc.	
	US	6,500,205	12-31-2002	Michelson	
	US	6,517,544	02-11-2003	Michelson	
	US	6,527,776	03-04-2003	Michelson	
	US	6,537,279	03-25-2003	Michelson	
	US	6,537,320	03-25-2003	Michelson	
	US	6,561,388	05-13-2003	Michelson, et al.	
	US	6,575,977	06-10-2003	Michelson	

**FOREIGN PATENT DOCUMENTS**

[illegible]

Examiner Signature	Date Considered
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EXAMINER: Initial reference considered, whether or not citation is in conformance with MPPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unit/citation designation number (optional). <sup>1</sup> See Kinde Code of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPPEP 801.04. <sup>2</sup> Enter Office that issued the document, by the two-letter code (WFO Standard 8.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>3</sup> Kind of document by the appropriate symbol as indicated on the document under WFO Standard ST.16 if possible. <sup>4</sup> Applicant is to place a check mark here if English language translation is attached.

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STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/826,285
Filing Date	April 19, 2004
First Named Inventor	BINDER
Art Unit	3732
Examiner Name	Unknown
Attorney Docket Number	0218.007.0002

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	US	6,592,586	07-15-2003	Michelson	
	US	6,602,256	08-05-2003	Cross Medical Products, Inc.	
	US	6,616,666	09-09-2003	Michelson	
	US	6,620,163	09-16-2003	Michelson	
	US	6,652,525	11-25-2003	Sofamor S.N.C.	
	US	6,652,584	11-25-2003	Michelson	
	US	6,666,890	12-23-2003	Michelson	
	US	6,692,501	02-17-2004	Michelson	
	US	6,695,849	02-24-2004	Michelson	
	US	6,709,458	03-23-2004	Michelson	
	US	6,712,818	03-30-2004	Michelson	
	US	6,716,247	04-06-2004	Michelson	
	US	6,730,093	05-04-2004	Stryker Spine	
	US	6,730,127	05-04-2004	Michelson	
	US	6,733,535	05-11-2004	SDGI Holdings, Inc.	
	US	6,749,636	06-15-2004	Michelson	
	US	6,755,833	06-29-2004	Pauk, Kamaljit S.	
	US	6,770,074	08-03-2004	Michelson	
	US	6,793,679	09-21-2004	Michelson	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number * Kind Code <sup>2</sup> (if known)			

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Sheet 5 of 6

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Application Number	10/826,285
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Attorney Docket Number	0218.007.0002

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	US	6,808,537	10-26-2004	Michelson	
	US	6,814,756	11-09-2004	Michelson	
	US	6,875,213	04-05-2005	SDGI Holdings, Inc.	
	US	6,890,355	05-10-2005	Michelson	
	US	6,890,358	05-10-2005	DePuy Products, Inc.	
	US	6,898,680	05-24-2005	Michelson	
	US	6,896,676	05-24-2005	SpineCore, Inc.	
	US	6,916,320	07-12-2005	Michelson	
	US	6,926,718	08-09-2005	Michelson	
	US	6,936,050	08-30-2005	Michelson	
	US	6,936,051	08-30-2005	Michelson	
	US	6,945,973	09-20-2005	NuVasive, Inc.	
	US	6,962,606	11-08-2005	Michelson	
	US	6,966,912	11-22-2005	SDGI Holdings, Inc.	
	US	6,969,390	11-29-2003	Michelson	
	US	6,972,019	12-06-2005	Michelson	
	US	6,972,035	12-06-2005	Michelson	
	US	6,986,772	01-17-2006	Michelson	
	US	7,008,453	03-07-2006	SDGI Holdings, Inc.	

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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## (Use as many sheets as necessary)

Sheet	6	of	6
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Application Number	10/826,285
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First Named Inventor	BINDER
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Examiner Name	Unknown
Attorney Docket Number	0218 007 0002

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		Number-Kind Code <sup>2</sup> (Accession)			
	US-	7,011,663	03-14-2006	Gary Karlin Michelson	
	US-	7,022,137	04-04-2006	SDGI Holdings, Inc.	
	US-	20020133158	09-19-2002	Saint Martin	
	US-	20020147450	10-10-2002	LeHuec, et al.	
	US-	20030149434	08-07-2003	Paul	
	US-	20030187440	10-02-2003	Richelsoeph, et al.	
	US-	20040030338	02-12-2004	Paul	
	US-	20040097940	05-20-2004	Paul	
	US-	20040133205	07-08-2004	Thramann, et al.	
	US-	20050033294	02-10-2005	Garden, et al.	
	US-	20050071013	03-31-2005	Zubok, et al.	
	US-	20050085812	04-21-2005	Sherman, et al.	
	US-	20050149026	07-07-2005	Buller, et al.	
	US-	20050234455	10-20-2005	Binder, et al.	
	US-	20050281681	11-24-2005	Branch, et al.	
	US-	20050261690	11-24-2005	Binder, et al.	
	US-	20050165400	07-28-2005	Fernandez	
	US-				
	US-				

## FOREIGN PATENT DOCUMENTS

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Examiner  
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